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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,922	07/25/2006	Ettore Colico	3687-169 (AMK)	9815

23117 7590 01/20/2010
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EXAMINER	
NGUYEN, HUNG D	

ART UNIT	PAPER NUMBER
3742	

MAIL DATE	DELIVERY MODE
01/20/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/579,922	COLICO ET AL.	
	Examiner	Art Unit	
	HUNG NGUYEN	3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 October 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *12-19,21 and 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12-19,21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 July 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/28/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to the amendment filed on 10/28/2009. As directed by the amendment: claims 1-11 and 20 have been canceled. Thus, claims 12-19 and 21-22 are presently pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 12 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US Pat. 4,847,184) (previously cited) in view of Brodsky et al. (US Pat. 6,489,985) (newly cited) and Gunter et al. (US Pat. 5,190,791) (cited by applicant).

4. Regarding claims 12 and 21, Taniguchi et al. discloses a method for transferring images to a wooden support 19 (Fig. 1) comprises: acquiring and or creating an image 11 (Fig. 1); one source of laser beam 15 (Fig. 1); means for moving the wooden support relative to the laser beam, as well as for focusing the laser beam relative to the support 17, 18 and 20 (Fig. 1); one adjustment unit 14 (Fig. 1) for the emission of the laser beam; means for converting the information 12 and 13 (Fig. 1) of the image into

instructions for at least one adjustment unit 14 (Fig. 1) and at least one control unit 12 (Fig.1).

Taniguchi does not discloses at least one adjustment unit adjusting the emission of said laser beam by directly varying at least one of pumping of active material and varying operation of a modulator located within a resonant cavity of said source of a laser beam; and locally subjecting said support to irradiation by means of said laser beam, with an energy per surface unit ranging from 0 j/cm2 to 43.7 j/cm2, in order to blacken the surface portion of the support.

Brodsky et al. discloses an adjustment unit adjusting the emission of said laser beam by directly varying at least one of pumping 12 (Fig. 1) of active material and varying operation of a modulator located within a resonant cavity of said source of a laser beam (Col. 6, Lines 33-67). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in Taniguchi et al., at least one adjustment unit adjusts the emission of the laser beam by directly varying the pumping of the active material and/or by varying the operation of a modulator located within the resonant cavity of the source of a laser beam, as taught by Brodsky, for the purpose of controlling the laser beam.

Gunter discloses locally subjecting said support to irradiation by means of said laser beam, with an energy per surface unit ranging from 0 j/cm2 to 43.7 j/cm2, in order to blacken the surface portion of the support being subjected to said local irradiation (Col. 4, Lines 15-36). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in Taniguchi et al, locally subjecting said

support to irradiation by means of said laser beam, with an energy per surface unit ranging from 0 j/cm2 to 43.7 j/cm2, in order to blacken the surface portion of the support being subjected to said local irradiation, as taught by Gunter, for the purpose of bringing out a high contrast in natural wood grain.

5. Regarding claim 22, Taniguchi et al. further discloses the wooden support is treated by means of additives for accelerating the carbonization and bleaching thereof, prior to the step of operating the moving and focusing means and at least one adjustment unit according to said instruction for reproducing said image on said wooden support (Col. 5, Lines 6-29).

6. Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US Pat. 4,847,184) in view of Brodsky et al. (US Pat. 6,489,985), Gunter et al. (US Pat. 5,190,791) and further view of Connor (US Pub. 2005/0006357) (previously cited).

7. Regarding claim 13 and 15, Taniguchi/Brodsky/Gunter disclose substantially all features of the claimed invention as set forth above **except for** the image is in digital format; and the image is at least one of acquired and created in black and white or in shades of grey. Connor discloses the process for transferring a photo image to a medium where the scanner 40 (Fig. 1) converts a hardcopy image 30 (Fig. 1) into a digital format (Par. 17); and the process for transferring a photo image to a medium where the image is converts to a grayscale image (Par. 18). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in Taniguchi/Brodsky/Gunter, the image is in digital format; and the image is at least one

of acquired and created in black and white or in shades of grey, as taught by Conor, for the purpose of converting the image that is compatible with the laser system.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US Pat. 4,847,184) in view of Brodsky et al. (US Pat. 6,489,985), Gunter et al. (US Pat. 5,190,791), Connor (US Pub. 2005/0006357) and further view of Nims et al. (US Pub. 2002/0113829) (previously cited).

9. Regarding claim 14, Taniguchi/Brodsky/Gunter/Connor disclose substantially all features of the claimed invention as set forth above **except for** the image is in the bitmap, raster, or vectorial format.

10. Nims discloses the image is in the raster format (Par. 35). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in Taniguchi/Brodsky/Gunter/Connor, the image is in the bitmap, raster, or vectorial format, as taught by Nims, for the purpose of converting the image to a printable format.

11. Claims 16 and 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US Pat. 4,847,184) in view of Brodsky et al. (US Pat. 6,489,985), Gunter et al. (US Pat. 5,190,791) and further view of McIlvaine (US Pub. 2005/0083551) (previously cited).

12. Taniguchi/Brodsky/Gunter disclose substantially all features of the claimed invention as set forth above **except for** the image is an image of wood grains and the image of wood grains is obtained by means of random generation. McIlvaine discloses laminate flooring with custom image where the photographs are digitized, formatted, and enhanced to create digital images of wood grain that can be used on flooring planks

and the wood grain are random (Par. 5). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in Taniguchi/Brodsky/Gunter, the image is an image of wood grains and the image of wood grains is obtained by means of random generation, as taught by McIlvaine, for the purpose of reproducing the color and grain pattern of the particular wood.

13. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US Pat. 4,847,184) in view of Brodsky et al. (US Pat. 6,489,985), Gunter et al. (US Pat. 5,190,791) and further view of Lang (US Pat. 4,315,379) (previously cited).

14. Regarding claim 18, Taniguchi/Brodsky/Gunter disclose substantially all features of the claimed invention as set forth above **except for** the wooden support is selected from at least of pistol or carbine grips, rifle butts and forearms. Lang discloses the hand gun grip wherein the grip 12 (Fig. 1; Col. 1, Line 6-7) is made of wood. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in the Taniguchi/Brodsky/Gunter, the wooden support is selected from pistol grips, as taught by Lang, for the purpose decorating the wooden grips.

15. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US Pat. 4,847,184) in view of Brodsky et al. (US Pat. 6,489,985), Gunter et al. (US Pat. 5,190,791) and further view of Nosaka et al. (JP Pat. 2001205463) (previously cited).

16. Regarding claim 19, Taniguchi/Brodsky/Gunter disclose substantially all features of the claimed invention as set forth above **except for** the laser beam to penetrate

within the wooden support by a thickness ranging from 0.1 and 1 mm. Nosaka discloses the method of mark engraving on transmission belt where the mark 10 (Fig. 1) which depth is 0.1-1mm is engrave by a laser beam 21 (Fig. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize in Taniguchi/Brodsky/Gunter, the laser beam to penetrate within the wooden support by a thickness ranging from 0.1 and 1 mm, as taught by Nosaka et al., forthe purpose of engraving the mark deeply into the object.

17. Applicant's arguments with respect to claim1-22 have been considered but are moot in view of the new ground(s) of rejection.

18. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 10/28/2009 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG NGUYEN whose telephone number is (571)270-7828. The examiner can normally be reached on Monday-Friday, 9M-6PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on (571)272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUNG NGUYEN/
Examiner, Art Unit 3742
1/11/2009

/Quang T Van/
Primary Examiner, Art Unit 3742